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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/510,433

10/06/2004

Ralf Bonitz

3102

8861

7590

10/18/2005

Striker Striker & Stenby  
103 East Neck Road  
Huntington, NY 11743

EXAMINER

MACK, RICKY LEVERN

ART UNIT

PAPER NUMBER

2873

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/510,433	BONITZ ET AL.	
	Examiner	Art Unit	
	Ricky L. Mack	2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 8-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 is/are allowed.
- 6) ☒ Claim(s) 8-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1004 &amp; 0305</u> .   | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> .      |

## DETAILED ACTION

### *Preliminary Amendment*

1. Acknowledgment is made of entry of Preliminary Amendment filed 10/6/04.

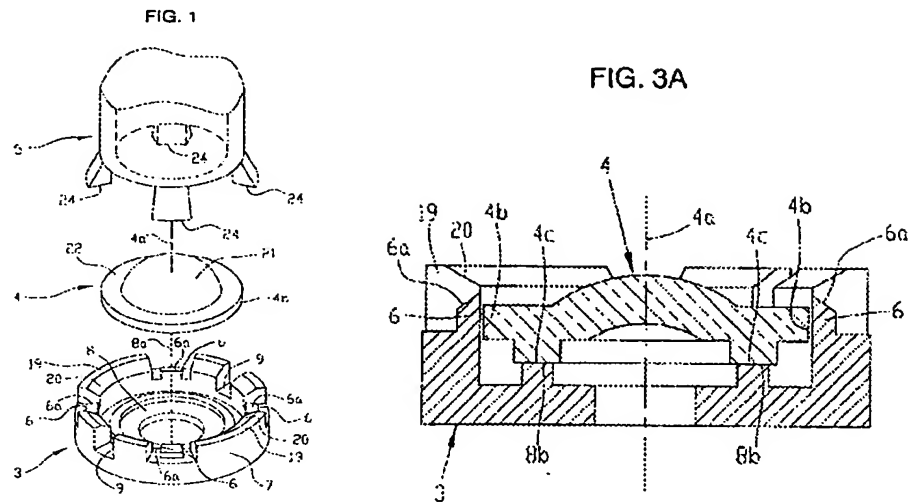
### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-15 are rejected under 35 U.S.C. 103(a) as obvious over Iwase et al. (6469844).

Iwase discloses, as in claims 8 and 14, a lens having a curved surface (4) and having a holding edge (4b) integrally formed on a lens edge, wherein a supporting edge (near 4c) projects is formed integrally with said holding edge (4), while Iwase does not disclose the lens being bright pressed on both of said sides, this limitation is considered to be a product by process (*See MPEP 2113*) and consequently does not provide any structural limitation beyond the lens disclosed by Iwase. Iwase discloses the claimed invention of claims 8 and 14 and except for surface opposite the curved surface is a plane surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the optical element of Iwase with opposite plane surface for the purpose of achieving a desired focusing effect.



Regarding claim 9, since Iwase does not disclose the lens holder being miniature in size, the examiner take the position that Iwase implicitly discloses the supporting edge has a thickness of at least 0.2 mm.

Iwase was discloses, as in claim 10, wherein said supporting edge is formed integrally with the lens and extends around an outer circumference of the lens (see figs 1 and 3A).

Iwase was discloses, as in claim 11, since Iwase does not disclose the lens holder being miniature in size, the examiner take the position that Iwase implicitly discloses the supporting edge has a thickness of at least 0.2 mm.

Iwase was discloses (see fig. 3A, 3B), as in claims 12, 13 and 15, wherein said supporting edge has a width, said holding edge has a width in a direction extending parallel to said plane surface and said width of said supporting edge is less than or equal to said width of said holding edge.

### *Allowable Subject Matter*

4. Claim 16 is allowed.

5. The following is an examiner's statement of reasons for allowability: The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claim(s), in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in claim(s) 16, wherein the claimed invention comprises all of the claimed limitations including bright pressing the lens' curved surface and the plane surface on both of the sides, as claimed. The combination of all the claimed features are not anticipated or made obvious by the prior art and all of said features are relied upon for a determination of allowability.


#### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following references are cited for disclosing a lens with a flange having at least one of a holding edge and a supporting edge: Nomura et al. (5905599), Jewers et al. (6898026B2) and Miura (20020109925A1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky L. Mack whose telephone number is (571) 272-2333. The examiner can normally be reached on Monday-Friday (6:30 AM to 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Ricky L Mack  
Primary Examiner  
Art Unit 2873

RM  
October 17, 2005